

### AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the present application.

#### Listing of Claims:

1. (Currently Amended) ~~[[An]]~~ A process for producing an oil-in-water type emulsion for light-exposing food comprising: fat and nonfat milk solids,  
mixing ingredients comprising fat, nonfat milk solids, emulsifier and water into a mixture,  
pre-emulsifying the mixture,  
pasteurizing or sterilizing the mixture, and  
homogenizing the mixture,

wherein the fat consists of non-milk fat, or non-milk fat and milk fat; the non-milk fat has such a constituent fatty acid composition that the total amount of lauric acid and palmitic acid is not less than 40%, the total amount of oleic acid, linoleic acid and linolenic acid is not more than 50%, and the total amount of linoleic acid and linolenic acid is not more than 5%; the ratio of milk fat/total fat is not more than 0.95; the content of nonfat milk solids is 1 to 14% by weight; ~~[[and]]~~ the amount of the fat ingredient is 15 to 48% by weight; and the emulsifier is free from an unsaturated fatty acid.

2. (Currently Amended) ~~The oil-in-water type emulsion process~~ according to claim 1, ~~wherein the oil-in-water type emulsion further comprises~~ comprising adding at least one ingredient selected from tocopherol and rutin to the oil-in-water type emulsion before undergoing photodegradation.

3. (Currently Amended) ~~The oil-in-water type emulsion process~~ according to claim 1, ~~which is for~~ wherein the oil-in-water type emulsion has photodegradation-resistance.

4. (Currently Amended) ~~The oil-in-water type emulsion process~~ according to claim 1, wherein the oil-in-water type emulsion is whippable.

5. (Currently Amended) A method for preventing photodegradation of an oil-in-water type emulsion comprising fat, nonfat milk solids, ~~[[and]]~~ water, and emulsifier, comprising:

preparing an oil-in-water type emulsion comprising fat, nonfat milk solids, water and an emulsifier, wherein the fat is a non-milk fat, or non-milk fat and milk fat; the non-milk fat has such a constituent fatty acid composition that the total amount of lauric acid and palmitic acid is not less than 40%, the total amount of oleic acid, linoleic acid and linolenic acid is not more than 50% and the total amount of linoleic acid and linolenic acid is not more than 5%; the ratio of milk fat/total fat is not more than 0.95; the content of nonfat milk solids is 1 to 14% by weight; ~~[[and]]~~ the amount of the fat ingredient is 15 to 48% by weight; the emulsifier is free from an unsaturated fatty acid; and excluding preventing photodegradation with packaging.

6. (Original) The method according to claim 5, wherein the oil-in-water type emulsion further comprises at least one ingredient selected from tocopherol and rutin.

7. (Currently Amended) ~~[[An]]~~ A process for producing an oil-in-water type emulsion for light-exposing food comprising: fat and nonfat milk solids;

mixing ingredients comprising fat, nonfat milk solids, emulsifier and water into a mixture,

pre-emulsifying the mixture,

pasteurizing or sterilizing the mixture, and

homogenizing the mixture,

wherein the fat consists of non-milk fat and the emulsion is a nonfat milk solid-containing oil-in-water type emulsion comprising 1 to 12% by weight of fat and 3 to 26% by weight of nonfat milk solids; the ratio of the nonfat milk solids to the fat ingredient in the oil-in-water type emulsion is not less than 1 relative to 1 of the fat ingredient; ~~[[and]]~~ the non-milk fat has such a constituent fatty acid composition that the total amount of lauric acid and palmitic acid is not less than 40%, the total amount of oleic acid, linoleic acid and linolenic acid is not more than 50% and the total amount of linoleic acid and linolenic acid is not more than 5%; and the emulsifier is free from an unsaturated fatty acid.

8. (Currently Amended) The ~~oil-in-water type emulsion~~ process according to claim 7, ~~wherein the nonfat milk solid containing~~ further comprising adding tocopherol to the oil-in-water type emulsion ~~further comprises tocopherol~~ before undergoing photodegradation.

9. (Currently Amended) The ~~oil-in-water type emulsion~~ process according to claim 7, ~~which~~ wherein the oil-in-water type emulsion is an emulsion for blending use.

10. (Currently Amended) The ~~oil-in-water type emulsion~~ process according to claim 7, ~~which~~ wherein the oil-in-water type emulsion is an emulsion for blending into pudding, bavarois or jelly.